

and allowance of the claims are respectfully requested.

**II. DECLARATION UNDER 37 C.F.R. §1.131**

All of the pending claims stand rejected under 35 U.S.C. §103 as being obvious over a combination of references including the Berman '194 patent. As evidenced by the accompanying RULE 131 DECLARATION executed by all of the named inventors, the Berman '194 patent—which issued on December 31, 2002 from an application filed on April 16, 1999—is not prior art to the subject matter claimed in the above-identified application.

The accompanying RULE 131 DECLARATION evidences that the present invention was conceived prior to the April 16, 1999 filing date of the Berman '194 patent and thereafter diligently reduced to practice no later than the August 2, 1999 filing date of the above-identified application. Accordingly, applicant respectfully submits that the accompanying DECLARATION UNDER 37 C.F.R. § 1.131 antedates the Berman '194 patent. Because the Berman '194 patent does not qualify as prior art, applicant respectfully requests reconsideration and withdrawal of the §103 rejection, and allowance of the claims.

**CONCLUSION**

For the reasons discussed above, applicant respectfully submits that all of the pending claims are patentable and in condition for allowance, which is respectfully requested.

In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the telephone number provided below.

Favorable consideration is respectfully requested.

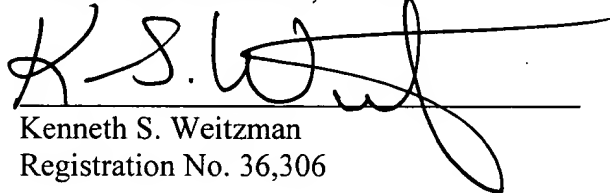
The Commissioner is hereby authorized to charge any additional fees that may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 3037-4178.

Respectfully submitted,

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Dated: May 20, 2003

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